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TITLE H.R. 1986: A Bill to Amend the Education of the Handicapped Act to Provide Tutorial and Related Instructional Services for Homebound Children Through the Employment of College Students, Particularly Veterans, and Other Students Who Themselves are Handicapped.

INSTITUTION Congress of the U.S., Washington, D.C. House.

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ABSTRACT

Presented is the text of House of Representatives Bill 1986, a bill to amend the Education of the Handicapped Act to provide tutorial and related instructional services for homebound children through the employment of college students, particularly veterans and other students who themselves are handicapped. Described are requirements of local and state educational agencies in proposing and requesting federal assistance for a tutorial instructional assistance program. Principles for determining state allotments are described. (DB)

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95TH CONGRESS
1ST SESSION

H. R. 1986

IN THE HOUSE OF REPRESENTATIVES

JANUARY 17, 1977

Mr. ROYBAL introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend the Education of the Handicapped Act to provide tutorial and related instructional services for homebound children through the employment of college students, particularly veterans and other students who themselves are handicapped.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That the Education of the Handicapped Act (20 U.S.C. 1421–1426) is amended by adding, at the end thereof, a new part H, as follows:

"PART H—USE OF COLLEGE STUDENTS AS TUTORS AND INSTRUCTIONAL ASSISTANTS FOR HOMEBOUND CHILDREN

"AUTHORIZATION OF PROGRAM

"SEC. 671. (a) The Commissioner is authorized to make

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grants to State educational agencies to enable them to develop and carry out programs, at their and at local educational agency levels to provide, through the use of students in institutions of higher education, tutoring and instructional assistance, under the supervision of a qualified teacher, for homebound handicapped children who, though able to benefit from preschool, elementary, or secondary education, are prevented by their handicaps, by lack of facilities, or because they experience special difficulties when in school, from attending school. Homebound children for whom services under this part may be provided include but are not limited to those as defined under section 602, paragraphs (1) and (15), and such services may be provided to children who are homebound for short or long terms.

"(b) For a local educational agency to receive assistance under this part from a State educational agency, it shall make a proposal to the State educational agency for a tutorial or instructional assistance program to be carried out through a cooperative arrangement with one or more institutions of higher education. The local educational agency shall give assurances that—

"(1) in selecting students to participate, (A) special consideration will be given to veterans qualified for vocational rehabilitation under chapter 31 of title 38, United States Code, and to other handicapped students

(provided in either case that their handicaps do not make their working with homebound children ineffective); and (B) among students otherwise equally eligible to participate in the program, preference will be given to those having greater financial need;

"(2) the program will be administered by the local educational agency in accordance with its rules and regulations relating to homebound instruction;

"(3) participation in the program will not interfere with the academic progress of participating students;

"(4) compensation paid to participating students will be set by agreement between the local educational agency and the student's institution, the maximum to be established at the direction of the Commissioner. In no case shall the compensation be established below the prevailing minimum hourly wage;

"(5) funds will be used in such manner as to encourage equipping the homebound handicapped children for eventual full assimilation by society, with every effort to avoid development of a segregated, permanent system of education for the handicapped; and

"(6) Federal funds made available under this part will be so used as to supplement and, to the extent practical, increase the level of State, local, and private funds expended for the education of handicapped children, and in no case supplant such State, local, and private funds.

"APPLICATION

"SEC. 672. (a) The Commissioner shall make grants under this part to State educational agencies on the merits of their proposals to him which shall be submitted on such application forms and under such guidelines as he shall prescribe. Proposals shall contain, among other information as required by the Commission, (1) all data from local educational agencies' proposals to the State, as is required to support the total amount of funding requested by the State; (2) the State's detailed plans for conducting, or providing for the conduct of, evaluation of the program supported under this part; and (3) the State's detailed plans for locating and identifying all of its homebound children who could benefit from this program.

"(b) An amount not to exceed 10 per centum of the total funds awarded to a State under this part shall be available to the State for it and its local educational agencies to administer the program.

"AUTHORIZATION AND APPROPRIATION

"SEC. 673. There are hereby authorized to be appropriated such sums as may be necessary for fiscal year ending September 30, 1978, and for fiscal year ending September 30, 1979, and for fiscal year ending September 30, 1980, for carrying out the provisions of this part.

"ALLOTMENTS TO STATES

"SEC. 674. All of these sums shall be granted at the discretion of the Commissioner; however, the Commissioner shall set aside 25 per centum of the total appropriation and preliminarily allocate (but not automatically grant) to each State (as defined by section 602(6)) an amount which bears the same ratio to such amount as the number of children aged three to twenty-one, inclusive, in the State bears to the number of such children in all the States. The Commissioner shall approve or disapprove applications from the States, and any funds preliminarily allocated to a State whose application is disapproved, or which fails to file timely application, shall be added to, and be included for distribution under, the remaining 75 per centum of the funds. The Commissioner shall not disapprove any State's application until he has offered and (if the State accepts his offer) provided technical assistance to that State in an effort to bring that State's application to a level of approvable quality, so that the State may then be granted its proportionate share of the 25 per centum set aside, and, if then applicable, an appropriate portion of the remaining 75 per centum."

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